

מדינת ישראל

משרד ראש הממשלה

ארכיון המדינה

מחבר: מנחם מנדל הכהן - מחבר א"י
(ספר שולחן ערוך)

Waly Qabani

ג'ת בתולות ה'ס"ו קרבן

$$27/4/37 - 31/7/133$$

מחלקה

מדינת ישראל

גבזך המדינה

T.C. 79

מזל טוב

מ

ארץ ישראל
ממשלת המנדט



שם תיקה · Wady Qabani ואדי קבאני

5007 / 5007/13-н

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2-108-11-3-5 ינובת

תאריך הדפסה: 16/05/2019

Other files dealing with
same Subject.

T.C. 79

CONFIDENTIAL

4-7-33

SUBJECT.

Wadi Qabbani

20119-11.12.31-100000-A.P

Referred to	Date	Referred to	Date	Referred to	Date
				P.A.	Date

(8)

Copy from a. D. C. Sam to D. O.

~~24~~

29.4.34

T/30/104 - 2023



8

27th April, 1937

District Commissioner,
Northern District,
Haifa

Subject:- Wadi Hawarith Lands -
Southern Section.

Reference: Your V/22/33 of 8-4-37.

As you know the southern section of the Wadi Hawarith tribe is camped on a plot of land which was obtained for them as a result of an exchange of land between Government and the Jewish National Fund. The area so allotted to them as a camping site was 250 dunums and it is true as they state in their petition that a small part of this area has been taken from them as a result of the construction of the new Jaffa-Haifa road. The area remaining in their possession is about 220 dunums.

2. In addition to this camping site the Arabs have leased about 2000 dunums in the neighbouring Wadi Qabbani. This area is mainly in swampy lands which were at the time of lease almost uncultivable, except for small plots suitable for vegetable cultivation. The land has however been considerably improved by the drainage scheme recently carried out by the Department of Medical Services and the Arabs now request that the drained land, which (like the Baset Sheikh Mohammed after it was drained) cannot be ploughed by the ordinary Arab plough, should be tractor-ploughed by Government.

3. If the land in question were owned by Government or by the Arabs I should support this request as the petitioners are poor and, being officially recognised landless Arabs, deserve Government assistance. The ownership of the Wadi Qabbani is however subject to complicated and long-outstanding disputes and, in my opinion, it is impossible to undertake Government work on the land which is under dispute between many claimants.

4. I suggest however that in order to assure the future of the southern section of the Wadi Hawarith Arabs it is desirable that the disputes over the ownership of the Qabbani lands should be settled as only then will it be possible for the Arabs to secure their rights as tenants and come to a satisfactory arrangement with the owners as to rent and as to the area which is to be allotted to them.

5. I consequently recommend that the Commissioner for Lands and Surveys should be asked whether he can arrange for Land Settlement (which is, I think, already taking place in the neighbouring Wadi Hawarith) to take place in the Wadi Qabbani in the near future.

1944 M. M. 1001
ASSISTANT DISTRICT COMMISSIONER
SAMARIA

Copy to:- Development Officer, Jerusalem.
District Officer, Tulkarm.

T/30/104

-2023

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Northern District,
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ASSISTANT DISTRICT COMMISSIONER
SAMARIA

Copy to:- Development Officer, Jerusalem.
District Officer, Tulkarm.

21 st April, 1937

ASSISTANT DISTRICT COMMISSIONER
S A M A R I A.

Subject: Wadi Hawarith Lands-Southern
Section.

Reference: Your minute dated 19.4.37. on D.C's
file No. 1077/2 attached

- Folio (1) of this file refers to a petition submitted to H.E. the Officer Administering the Government of Palestine by Mukhtars and elders of Wadi Hawarith South during his last visit.
2. This point of their claim was fully discussed at the spot.
 3. During the last four years petitioners became tenants of 2000 dunoms in Wadi Qabbani lands as per contract signed by them and the Qabbani family.
 4. In fact there is no reference in the contract of tenancy to show that the land leased is the swampy area, but as the whole land beside the swampy area is under lease by other bodies, therefore the contract automatically refers to it.
 4. In accordance with the Kushans in possession of the owners the swampy area falls within the area of Wadi Qabbani lands.
 5. About 30-40 dunoms out of the 250 dunoms which were allotted by Government to petitioners were taken by the Northern Road.
 6. The land of Wadi Qabbani is divided into seven shares five of which were sold by contract since 1924 or 1925 but, owing to a dispute between the family as to the share of each heir and therefore the contract was not executed up to date.
 6. Whereas I believe that petitioners are statutory tenants by virtue of the contract, and whereas their tenancy does not affect the ownership and whereas petitioners are unable to cultivate this land independently, I am therefore of the opinion that any assistance rendered by Government to these poor people will be very highly appreciated.

[Signature]
DISTRICT OFFICER

11-11-1937

AMERICAN OVERSEAS BANK

Subject: Land Revenue -
Taxes

Reference: Your letter dated 10/11/37, 10/11/37
File No. 101, 11/11/37

1. The land revenue tax is a tax on the value of the land and is levied on the owner of the land. It is a tax on the land and not on the person who owns it. The land revenue tax is a tax on the land and not on the person who owns it.

2. This point of the land revenue tax is fully discussed at the end of the report.

3. During the last four years the land revenue tax has been levied on the land and not on the person who owns it. The land revenue tax is a tax on the land and not on the person who owns it.

4. In fact there is no reference in the contract to the land revenue tax. The land revenue tax is a tax on the land and not on the person who owns it. The land revenue tax is a tax on the land and not on the person who owns it.

5. In accordance with the provisions of the contract the land revenue tax is levied on the land and not on the person who owns it. The land revenue tax is a tax on the land and not on the person who owns it.

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(6)

His Excellency,
The Officer Administering the Govt.

Your Excellency,

We, the Mukhtar and elders of the Southern

Wadi Hawareth, beg to request that you may be moved to instruct that the Qabani lands which cover an area of 1800 dunoms be ploughed for us, as we are unable to cultivate this land independently. The 250 dunoms which were allotted to us were decreased to 200 dunoms as a result of the construction of the asphalted road through this land. The area of the remaining land is too little to serve the purposes and satisfy the need of 506 members of our tribe.

With highest respects

Sgd.....(?)

Mukhtar of Wadi Hawareth
Southern

Ibrahim Mustafa
and five elders

15.3.37.

D.O.

For observations

4.4.37

Sgd: H.M. Jant

his Excellency,
The Officer Administering the Govt.

Your Excellency,

To the Minister and others of the Southern

Wadi Hawarain, to request that you may be moved
to instruct that the land which covers an area
of 1800 dunams be divided for us, as we are unable to
cultivate this land independently. The 800 dunams which
were allotted to us were increased to 800 dunams as a
result of the construction of the asphalted road through this
land. The area of the remaining land is too little to
serve the purpose and satisfy the need of 800 members of
our tribe.

With highest respects

Yours faithfully,
Minister and Hawarain
Wadi Hawarain
Ibrahim Ismail
and five others

15.3.37.

No. T.C. 79-121

GOVERNMENT OF PALESTINE
ASSISTANT DISTRICT COMMISSIONER'S OFFICE
NORTHERN DISTRICT.
TULKARM
12.9.36.

Faiz Eff. El Azeny,
Beirut.

Sir,

I have the honour to refer to your letter of 8th August addressed to His Excellency the High Commissioner on the subject of protection for your cultivators at Wadi Qabani, and to state that I am directed to reply as follows:-

A full investigation of the conditions in this area has been carried out. The full harvest of wheat, potatoes and melons was stored in the house of Sami Bey Qabani after the harvest. Since then, no work has been or would ordinarily be carried out on the land, as the winter ploughing begins with the rains, which are not yet due. No case of intimidation has ever been reported to the Police in this area. It is understood that Sami Bey who left for Beirut on 29th August on receipt of a telegram from his family, had had trouble with his servant, Mahaud Zahran, whom he dismissed. He is also stated to have quarrelled with the Zahran family, who form the majority of the Qabani Arabs.

You may rest assured that any case of intimidation which comes to the knowledge of the Police will be promptly dealt with.

I have the honour to be
Sir,
Your obedient servant.

ASSISTANT DISTRICT COMMISSIONER
NORTHERN DISTRICT.

Copy to:- D.C., N.D., Haifa

With file. refe. his minute (2) on C.S.'s
No. 2028/85 of 25.8.36 to District Com.

Certificate of Posting of a Registered Postal Packet.

תעודת משלוח של צרור דא-רשום. تذكرة تصدير رزمة مسجلة

Registration No. 182

نمرة التسجيل

מספר הרשום

Registration fee paid 13 mils

قيمة التسجيل المدفوعة ١٣ ملا

דמי הרשום ששולם 13 מיל.

A Postal Packet addressed as under has been registered this day

ان الرزمة المعلنونة ادناه سجلت في البريد اليوم

צרור דא-רשום המען ולמטה נרשם היום

Date Stamp



Accepting Clerk

الموظف المستلم

הפקיד המקבל

111

No. T.C. 79

4

DISTRICT OFFICES,
TULKARM.

18th August, 1936.

REGISTERED.

Asst. District Commissioner,
Nabluş.

Subject:- Qabbani Lands in the Tulkarm
Sub-District.

Reference: Your T/80/23 of 13.8.36 and
attached file No. L/28/31.

As you are aware, prior to 1929, i.e. before the application of the Commutation of Tithes Ordinance, 1929, the tithes due on Wadi Qabbani used to be paid by the land tenants, but the werko tax of one seventh due on the whole area of Wadi al Qabbani used to be paid by Ahmad Mukhtar Bey.

2. Since 1929, petitioner, Ahmad Mukhtar Bey being the owner of the land, commenced to pay taxes equalling to one seventh of the whole amount levied on the Wadi Qabbani. House and Land tax was likewise paid in similar proportion.

3. In 1935, when the Rural Property Tax became payable, Ahmad Mukhtar Bey Qabbani, continued to pay one seventh of the tax due on the whole area of Wadi Qabbani which is 10171 dunums according to Tax Distribution Schedule and the Tax Roll.

[Signature]
DISTRICT OFFICER,
TULKARM.

HK/S.

GOVERNMENT OF PALESTINE

3

ASSISTANT DISTRICT COMMISSIONER'S OFFICE
SAMARIA DIVISION, NABLUS

In reply please quote

Ref. No.

7/80/23 - 3587

Registered

13th August, 1936



The Assistant District Commissioner,
Samaria, presents his compliments to District
Officer, Tulkarm and has the honour to enclose the
undermentioned documents for action.

Subject:- QABBANI LAND IN THE TULKARM
SUB-DISTRICT.

Date

Description

File No. L/28/31 on the subject of
Wadi Qabbani Lands.

GOVERNMENT OF PALESTINE.

58
In reply please quote

No. T.C. 59

P.O.B. 1
Tel. No. 11

CONFIDENTIAL.

DISTRICT OFFICES
TULKARM.

19.12.35.

Asst. District Commissioner,
Nablus.

Subject:-Wadi Qabani
Reference:-Folio 13 of attached file
No. 237/248

Before submitting my comments on the folio quoted under reference, I wish to give a brief history of Wadi Qabani lands.

2. Wadi Qabani in origin form a part of Wadi Hawareth and its area exceeds by little 10000 dunums.

3. The registration record of this plot of land goes far as follows:-

The land was registered by right of possession (Haq Qarar) in the name of Sadeddin Pasha Qabani and his three sons. On investigating the Tabu records by the ex Government in 1300, it was found that the sons are not entitled to be recorded in the title deed of registration, so such registration was amended to be in the name of the father only (Sadeddin).

After the death of Sadeddin Pasha a dispute as to the accuracy of such registration has taken place between the brothers of Sadeddin and his own heirs, as his brothers claimed that these lands are owned by their father Mustafa Agha.

In 1321 during the appointment of Mukhtar Bey Qabani as District Officer Tulkarm (Qaimqam Bani Saab) a case was lodged by him being the agent of his mother Amneh daughter of Mustafa Agha to the effect, that the registration of the aforesaid land in the name of Sadeddin Pasha is illegal, as such registration should be made in the name of all the heirs of Mustafa Agha (i.e. the father of Sadeddin Pasha). The result of the Court decision was in favour of Mukhtar Bey and his mother was allotted a share of 1/7.

In 1920 other heirs of Mustafa Agha submitted a petition to the Land Dept. requesting the change of the registration from the name of Sadeddin Pasha to him and his brothers being the inheritors of Mustafa Agha, the change was accordingly carried out by the Land Dept.

Since 1320 up to occupation continual cases between the members of this family were lodged in courts.

4. From my personal knowledge and experience the persons now laying hands on the land are as shown hereunder:-

GOVERNMENT OF PALESTINE.

DISTRICT OFFICES

TULKARM.

In reply please quote

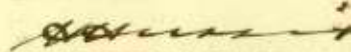
No.

P.O.B. 1
Tel. No. 11

- 2 -

- 1) Abu Hanstash family possess one share out of seven. They purchased this share from Mustafa Bey the son of Saadeddin Pasha.
- 2) The clients of advocate Nasir Nasr are laying hands on one share out of seven, this share is still being in dispute with the inheritors of Abdel Ghani Pasha the son of Saadeddin.
- 3) Ahmed Mukhtar Bey and his co-owners one share out of seven.
- 4) Fatmeh Khanum the daughter of Saadeddin Pasha possesses one share out of seven.
- 5) The remaining heirs of Abdel Ghani Pasha who are represented by Sami Bey and his four brothers claim three shares.
5. None of the heirs of Mustafa Agha are occupying at present any part of this land.
6. The two disputed parties of Qabani family and their co-owners with the exception of the owners mentioned in 2 and 3 have sold their shares to different persons, all of these purchases were at last sold to the Keren Kayemeth. Sales are most liable to be concluded so long as this dispute is taking place.
7. Landlords mentioned in No.3 sold by contract 150 dunums to the members of Wadi Hawareth southern section.
8. This land will remain to be the subject of continual bargains and increase of complications.
9. Though all the landlords agree to the partition of this land, but yet, I am not favouring it for the following reasons:-
 - a) The settlement of this land will facilitate its immediate sale.
 - b) A big difficulty will be met by the increase of the landless Arabs by 200 Cultivators. I presume that we might not be able to find lands for the settlement of these Arabs in this Sub District.
 - c) In this case a similar tragedy of Wadi Hawareth can be avoided.

HH/BM.


DISTRICT OFFICER.

DISTRICT OFFICE

TURKMAN

Page 1

The following facts were obtained from the investigation conducted by the District Office on the above-captioned matter.

On the date of the investigation, the District Office was advised that the above-captioned matter was being handled by the District Office.

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Very truly yours,

GOVERNMENT OF PALESTINE.

In reply please quote

Ref. No.

T/80/23 - 2101

SECRET

DISTRICT OFFICES.
File No. T.C. 48
Serial No. 20
4 JUL 1933

DISTRICT OFFICES.
NABLUS.

3rd. July, 1933

Acting Director of Development,
Jerusalem

Subject:- Wadi Qabbani.

Reference. Your DC/210/32 of
30-6-33.

The District Officer, Tulkarm
reports as follows:-

- (I) that seven or eight months ago the shares of Abdul Kadr Eff. Qabbani were sold to the Arab Land Fund;
- (II) that the Fund resold these shares to Abdul Hamid el Bibi of Jaffa two or three months ago for £P.200.- more than the amount originally paid by the Fund;
- (III) that there is nothing to report since that re-sale;
- (IV) that Mohd. Said Shanti has acted as broker throughout these negotiations;
- and (V) that no change in the land registry has been made both these sales being effected by contract between the parties concerned only.

(Sgd.) H. M. FOOT

ASSISTANT DISTRICT COMMISSIONER
SAMARIA

Copy to:- District Officer, Tulkarm.

عده فاسخ نام طوکارم المحترم

خدمه لخدمت اہ عارفانہ ہر صبر خلف توخا اہ صبر اہ
تعالی اہ ہوتن طبعیہ اہ رضا اہ رضا رقبہ اہ فانیہ اہ اصنام سدا
نہا اہ فانیہ
۱۴۱/۵/۵۰
نظام السلام

